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March 24, 2008

MEMO ENCLOSED

*Applesation Granted
Conference, not scheduled
for May 16, 2008
to ordered
March 26, 2008*

FACSIMILE (914) 390-4085

Honorable Judge Charles L. Brieant
United States District Judge
Southern District of New York
United States Courthouse
300 Quarropas Street
White Plains, New York 10601

Re: Trustees of the District Council 9, et al. v. M.A. Angeliades, Inc.
Index No.: 08-CIV-0581 (CLB)
Conference – Friday, March 28, 2008 at 9:45 a.m.

Charles L. Brieant
USDJ

Dear Honorable Judge Brieant:

This office represents the plaintiffs in the above matter. This letter makes reference to the court conference scheduled for Friday, March 28, 2008 at 9:45 a.m.

This matter involves the enforcement of a Collective Bargaining Agreement, more specifically, the Funds right to audit the books and records of an Employer. On Friday February 22, 2008 an audit of the Employer's books and records was conducted. The Fund Auditors are in the process of finalizing their audit report and if there are deficiencies then the Employer will need time to review the audit findings. If there are zero findings the Plaintiffs will immediately discontinue the action.

Accordingly on consent, both parties respectfully request an adjournment of the court conference to a date in late April early May 2008 that is mutually convenient to the Court.

Kindly advise this office of the court's decision regarding our request.

Thank you for your assistance and courtesies.

Very truly yours,

BARNES, IACCARINO, VIRGINIA,
AMBINDER & SHEPHERD, PLLC

Dawn Stefanik
Dawn Stefanik
Paralegal

cc: M.A. Angeliades